

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1-44. (canceled)

45. (currently amended): A cell in which expression of recombinase Cre is controlled in a FLP-dependent manner in the presence of recombinase FLP, which is provided by a ~~recombinant helper~~ adenovirus expressing recombinase FLP, wherein said cell has in the genome thereof, a promoter, a recognition sequence of recombinase FLP, a stuffer sequence, a recognition sequence of recombinase FLP, and the recombinase Cre gene sequence in this order from upstream; and

wherein said cell is a host cell for producing, when infected with the helper adenovirus, a recombinant a helper virus dependent recombinant adenovirus vector expressing that expresses a desired protein together with a helper virus.

46. (previously presented): The cell according to claim 45 that expresses the adenovirus E1A gene.

47. (currently amended): The cell according to claim 45 or 46 ~~that derives from,~~ which is a human fetus kidney-derived cell line 293-cells cell.

48. (canceled)

49. (currently amended): The cell according to claim ~~48~~45 or 46 wherein the promoter is a hybrid promoter (CAG promoter) comprising a cytomegalovirus enhancer, a chicken β -actin promoter and a rabbit β -globin splicing acceptor which is operatively linked to a rabbit β -globin poly(A) sequence.

50. (currently amended): The cell according to claim ~~45 or 46~~48 wherein the stuffer sequence comprises a nucleotide sequence that acts so as to suppress the expression of the Cre gene located downstream thereof.

51. (currently amended): The cell according to claim 50 ~~which~~wherein the stuffer sequence comprises a poly(A) sequence, or a nucleotide sequence that encodes a protein that acts so as to suppress the expression of the Cre gene ~~encoding the desired protein~~ and a poly(A) sequence, ~~as a nucleotide sequence that acts so as to suppress the expression of the Cre gene.~~

52. (currently amended): The cell according to claim 51 wherein the ~~desired~~ protein is the product of a drug resistance gene.

53. (previously presented): The cell according to claim 52 wherein the drug resistance gene is a neomycin resistance gene.

54. (currently amended): The cell according to claim 45 or 46 ~~48~~ having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

55. (currently amended): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 45 or 46 ~~48~~ using a helper adenovirus expressing recombinase FLP.

56. canceled

57. (previously presented): The cell according to claim 47 having, in the genome thereof, a promoter, a recognition sequence of recombinase FLP, a stuffer sequence, a recognition sequence of recombinase FLP, and the recombinase Cre gene sequence in this order from upstream.

58. (previously presented): The cell according to claim 57 wherein the promoter is a hybrid promoter (CAG promoter) comprising a cytomegalovirus enhancer, a chicken β -actin promoter and a rabbit β -globin splicing acceptor which is operatively linked to a rabbit β -globin poly(A) sequence.

59. (previously presented): The cell according to claim 57 wherein the stuffer sequence comprises a nucleotide sequence that acts so as to suppress the expression of the Cre gene located downstream thereof.

60. (currently amended): The cell according to claim 59 ~~which~~ wherein the stuffer sequence comprises a poly(A) sequence, or a nucleotide sequence that encodes a protein that acts so as to suppress the expression of the Cre gene encoding the desired protein and a poly(A) sequence, as a nucleotide sequence that acts so as to suppress the expression of the Cre gene.

61. (currently amended): The cell according to claim 60 wherein the ~~desired~~ protein is the product of a drug resistance gene.

62. (previously presented): The cell according to claim 61 wherein the drug resistance gene is a neomycin resistance gene.

63. (previously presented): The cell according to claim 57 having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

64. (previously presented): The cell according to claim 49 wherein the stuffer sequence comprises a nucleotide sequence that acts so as to suppress the expression of the Cre gene located downstream thereof.

65. (currently amended): The cell according to claim 64 ~~which~~ wherein the stuffer sequence comprises a poly(A) sequence, or a nucleotide sequence that encodes a protein that acts

so as to suppress the expression of the Cre gene encoding the desired protein and a poly(A) sequence, as a nucleotide sequence that acts so as to suppress the expression of the Cre gene.

66. (currently amended): The cell according to claim 65 wherein the ~~desired~~ protein is the product of a drug resistance gene.

67. (previously presented): The cell according to claim 66 wherein the drug resistance gene is a neomycin resistance gene.

68. (previously presented): The cell according to claim 49 having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

69. (previously presented): The cell according to claim 50 having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

70. (previously presented): The cell according to claim 51 having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

71. (previously presented): The cell according to claim 52 having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

72. (previously presented): The cell according to claim 53 having a nuclear localization signal at the 5'-end or 3'-end of the recombinase Cre gene.

73. (withdrawn): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 49.

74. (withdrawn): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 50.

75. (withdrawn): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 51.

76. (withdrawn): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 52.

77. (withdrawn): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 53.

78. (withdrawn): A method of expressing recombinase Cre by introducing recombinase FLP into the cell according to claim 54.